

4	Page 15	Ongoing Storage and Conveyance Screening Process	DFG	San Luis Reservoir should be listed as <i>San Luis Reservoir Enlargement</i> . Consider including some explanation on why Cottonwood Creek Complex was dropped and why the following were added: Glenn Reservoir, Folsom Reservoir Enlargement, Garden Bar Reservoir, Waldo Reservoir, Garzas Reservoir, Panoche Reservoir, and Cooperstown Reservoir. Consider adding a list comparing the first list with this one.
5	Page 16	Delta Consumptive Use	DFG	<i>Reword the first sentence as follows:</i> "As part of an evaluation of the Isolated Facility..."
6	Page 19	Second DWRSIM Study paragraph	DFG	The second set of DWRSIM runs show Alternative 1 without ERPP. It is not clear why this is being considered and modelled.
Species and Habitat Conservation Strategy				
1	Species and Habitat Conservation Strategy Page 1	1st para. under section 1.2	DFG	<i>The first sentence should read as follows:</i> The Conservation Strategy addresses all federally and State listed, proposed, candidate, and State fully protected species that may be affected by the CALFED Program;....

2	Page 11	2nd para. under section 2.2	DFG	<p><i>The following wording should replace the sentence beginning with "A natural community conservation plan...":</i></p> <p>A Natural Community Conservation Plan (NCCP) is a plan for the conservation of natural communities that takes an ecosystem approach and encourages cooperation between private and government interests. The NCCP identifies and provides for the regional or areawide protection and perpetuation of plants, animals, and their habitats, while allowing compatible land use and economic activity. Approved NCCPs may provide the basis for issuance of state authorizations for the take of species specifically identified in the NCCP. It is important to note that the NCCP process must ensure consistency with the federal and state Endangered Species Acts.</p>
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3	Page 12	1st para. under section 2.2.2	DFG	<p><i>The following wording should replace the existing paragraph as follows (strikeout delete, underline add):</i></p> <p>The Natural Community Conservation Planning Act authorizes CDFG to permit the taking of <u>any certain identified</u> species whose conservation and management is provided for in a CDFG-approved NCCP. <u>A NCCP cannot authorize the take of a State listed "fully protected" species (see next section).</u> <u>Therefore any NCCP should include measures designed to avoid the take of fully protected species. The Fish and Game Commission may authorize take of fully protected species under certain narrowly defined circumstances (see next section).</u> Under CESA, CDFG may also permit the take of <u>certain identified</u> species incidental to an otherwise lawful activity provided the impacts of the take are minimized and fully mitigated, and the continued existence of the species is not jeopardized. Incidental take by a state agency following consultation which finds that the take will not jeopardize the species or destroy habitat essential to its existence may also be authorized, but this Fish and Game Code (section 2090) expires on January 1, 1999. The authority to permit take of animals designated as "Fully Protected" is reserved to the Fish and Game Commission, which may allow such take for the purposes of essential research and management.</p>
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4	Page 12	add section 2.2.3	DFG	<p><i>This section should be added and now becomes section 2.2.3 and existing 2.2.3 now becomes 2.2.4.</i></p> <p>2.2.3 Species Not Subject to CDFG Take Authority</p> <p><u>CDFG may not authorize the take of a species when take of that species is expressly prohibited by statute without an applicable exception in law. These species appear in Fish and Game Code Section 3505 (specified birds), Section 3511 (fully protected birds), Section 4700 (fully protected mammals), Section 5050 (fully protected reptiles and amphibians), Section 5515 (fully protected fish) and Section 5517 (white shark). The Fish and Game Commission may, however, authorize take of fully protected species when such take is needed for scientific research.</u></p> <p>2.2.4 Natural Community Conservation Planning Act</p>
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5	Page 12	existing section 2.2.3	DFG	<p><i>Add the following sentence to the end of the existing section 2.2.3, that begins with "The Natural Community Conservation Planning Act promotes..."</i></p> <p>NCCPs are also subject to review under the California Environmental Quality Act (CEQA), Public Resources Code section 21000, et seq.</p> <p><i>Delete the following paragraphs from the existing section 2.2.3:</i></p> <p>An NCCP must be approved by CDFG before it is implemented. To be approved, an NCCP must meet standards established by CDFG. CDFG is authorized to prepare non-regulatory guidelines to establish NCCP standards and to guide the development and implementation of NCCPs. NCCPs are also subject to review under the California Environmental Quality Act (CEQA), Public Resources Code section 21000, et seq.</p> <p>CDFG may authorize the "taking" of any identified species whose conservation and management is provided for in a CDFG approved NCCP.</p>
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6	Page 12	add section	DFG	<p><i>Add the following Planning Agreement section before the Implementing Agreement paragraph on page 12:</i></p> <p>Planning Agreement</p> <p>One of the components of an NCCP is a Planning Agreement. A Planning Agreement identifies the scope of the NCCP to be prepared and the participating parties. The Planning Agreement must be entered into by all parties, including appropriate regulatory agencies and participating private landowners. The Planning Agreement must identify the natural communities and species covered by the NCCP, establish the process for identifying target species, and the process for data collection, scientific input, and public participation, set forth an interim project review process during NCCP development, and provide public review periods for NCCP documents prior to adoption.</p>
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7	Page 12	Implementing Agreement	DFG	<p><i>The Implementing Agreement section should be modified as follows (strikeout delete, underline add):</i></p> <p>Implementing Agreement</p> <p><u>Another component of each NCCP will be is an Implementing Agreement. implemented according to an An Implementing Agreement must be</u> between the entities or agencies responsible for implementing the plan, CDFG and other regulatory agencies as appropriate, <u>such as the USFWS and participating private landowners.</u> The purpose of the Implementing Agreement(s) is to ensure the implementation <u>and adequate funding</u> of the NCCP, to bind each party to the terms of the NCCP, <u>provide a process for amendment of the NCCP,</u> and to provide remedies and recourse for failure to adhere to the terms of the NCCP.</p>
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8	Pages 13-14	Guidelines Section	DFG	<p><i>The Guidelines section should be modified as follows (strikeout delete, underline add):</i></p> <p>Guidelines</p> <p><u>CDFG has adopted guidelines, entitled <i>Natural Community Conservation Planning General Process Guidelines (January 22, 1998) (Guidelines)</i> for the general application of the NCCP Act. The Guidelines are designed to help planners provide for regional protection and perpetuation of biological diversity, meet NCCP regulatory requirements and allow for flexibility in NCCP development.</u></p> <p><u>The Guidelines list the following NCCP components:</u></p> <ol style="list-style-type: none"> 1. <u>Planning Agreement.</u> 2. <u>Planning Document.</u> 3. <u>Implementation Agreement.</u> 4. <u>Take Authorization, and</u> 5. <u>Environmental Documentation.</u> <p>All NCCPs must contain certain substantive elements identified in the Natural Community Conservation Planning Act. In addition, the NCCP must comply with the guidelines adopted by CDFG for natural community conservation planning. CDFG has adopted the entitled <i>Natural Community Conservation Planning General Process Guidelines (January 22, 1998) (Guidelines)</i>.</p>
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9	Pages 13-14	Guidelines Section	DFG	<p><i>The Guidelines section should be modified as follows (strikeout delete, underline add):(Continued)</i></p> <p>In addressing the scope and purpose of NCGP, the Natural Community Conservation Planning Act identifies the following essential NCGP elements:</p> <p>(1) An NCGP must be regional or area-wide in scope (section 2805(a)).</p> <p>(2) An NCGP must protect and perpetuate natural wildlife diversity (section 2805(a)).</p> <p>(3) An NCGP must allow compatible and appropriate development and growth (section 2805(a)).</p> <p>(4) An NCGP must be consistent with NCGP planning agreement (section 2820).</p> <p>(5) An NCGP must provide for the conservation and management of species subject to take (section 2835).</p>
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10	Pages 13-14	Guidelines	Section	DFG	<p><i>The Guidelines section should be modified as follows (strikeout delete, underline add): (Continued)</i></p> <p>The Guidelines provide guidance for natural community conservation planning within the Planning Area and do not represent specific criteria for CDFG approval. However, they address certain key natural community conservation planning elements identified in section 2825(a) of the NCGP Act:</p> <p>(1) Defining the scope of a conservation planning area (section 2825(a)(1));</p> <p>(2) Determining conservation standards, guidelines and objectives for the planning area (section 2825(a)(2));—</p> <p>(3) Appointing one or more advisory committees to review and make recommendations regarding the preparation and implementation of NCGPs (section 2825(a)(3));—</p> <p>(4) Coordinating with local, State, and Federal agencies (section 2825(a)(4));—</p> <p>(5) Incorporating public input (section 2825(a)(5));</p> <p>(6) Ensuring compatibility with the Federal Endangered Species Act (section 2825(a)(6));—</p> <p>(7) Obtaining approval of the NCGP by CDFG (section 2825(7));—</p>
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11	Pages 13-14	Guidelines Section	DFG	<p><i>The Guidelines section should be modified as follows (strikeout delete, underline add):</i> (Continued)</p> <p>(7) Obtaining approval of the NCCP by CDFG (section 2825(7));</p> <p>(8) Provisions for implementation of the plan (section 2825(a)(8));</p> <p>(9) Providing direction for monitoring and reporting on plan implementation (section 2825(a)(9));</p> <p>(10) Amending the NCCP consistent with the initial intent of the NCCP (section 2825(a)(10));</p> <p>(11) Projects proposed in a NCCP area are not exempt from CEQA (2825(b));</p> <p>(12) NCCPs, as appropriate, shall be implemented pursuant to section 2081 (2825(c)); and</p> <p>(13) Implementation of NCCPs shall use the California Conservation Corps or local community conservation corps as practicable.</p>
12	Page 14	Section 2.2.4 CESA 2081	DFG	<p><i>Section 2.2.4 CESA 2081 should have the following sentence added to the end of the paragraph:</i></p> <p>At this time, it is anticipated that take will be authorized solely through the creation of an NCCP and that additional 2081 permits will not be required for the Calfed actions.</p>

13	Pages 14-15	2081(b) para. number 2	DFG	<p><i>Paragraph labled 2 should be replaced with the following wording:</i></p> <p>(2) The impacts of the authorized take shall be minimized and fully mitigated. The measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. For purposes of this section only, impacts of taking include all impacts on the species that result from any act that would cause the proposed taking.</p>
14	Page 15	2081(b)	DFG	<p><i>The sentecnes labled (5) should be a stand alone sentence and read as follows:</i></p> <p>(5)- Permits may not be issued if the issuance of the proposed permit would jeopardize the continued existence of the species.</p>
15	Page 18	Maintain paragraph	DFG	<p><i>Reword the third sentence as follows:</i></p> <p>"For this category ... addressed <i>in a manner</i> commensurate..."</p>
16	Page 22	Third Bullet	DFG	<p>It is not clear what is meant by, "an undefined level of support for actions that are being or will be implemented under other local, state, or federal programs". This is labeled an action not considered to affect covered species or habitats yet any support for an action that affects covered species or habitats should not be dismissed. This statement needs to be clarified or reconsidered.</p>
17	Page 25	#14	DFG	<p>The Delta region should be included for restoration of vernal pools and surrounding lands.</p>

18	Page 26	#16	DFG	The San Joaquin River region should have a goal for restoration of perennial grassland. This region is probably as, if not more, suitable for restoration of perennial grassland than any of the others.
19	Page 27	#19	DFG	Some acreage could be included in the San Joaquin River region. This is especially critical for species such as the riparian brush rabbit.
20	Page 33	6.4	DFG	Are these non-CALFED projects the same as, "... actions that are being or will be implemented under other local, state, or federal programs" as mentioned on page 22, bullet #3. It is not clear what is meant by non-CALFED projects.
21	Page 44	Paragraph 3, Sentence 1	DFG	Consider rewording that part of the first sentence that states CALFED, "... will have incorporated some or all of the recommended changes..." This wording is too vague as to which changes will be incorporated. Wording as follows is less vague: "... will have incorporated appropriate recommended changes..."
Strategic Plan for Ecosystem Restoration				
1	Following Page A-11.	Table A-1	DFG	<i>Re-label far right hand column:</i> The term "percent reduction" is incorrect. It should read "percent remaining" or the percentages should be recalculated

Comment Number	Page Number	Section, Figure, or Table No.	Commentor	Comment
Long-term Levee Protection Plan				
1	Long-term Levee Protection Plan	All Tables in this document	DFG	<i>Table descriptions should occur at the top of all table not the bottom.</i>
2	Page 6	Long-term levee protection plan	DFG	<i>Delta Flood Protection Plan did not start in 90-91. SB 1065 was enacted that year which specified funding. The program effectively started in July, 1987 by SB 34 (1988).</i>
3	Page 7		DFG	<i>All levees other than project levees could be considered non-project. However, levees built as part of the two deep water channels are referred to as "Direct Agreement Levees," and could be considered a third kind.</i>
4	Page 11		DFG	<i>See comment number 2.</i>
5	Page 43	1st paragraph	DFG	<i>This section describes that there is 229 miles of levee in the Suisun Marsh, however, in earlier text the number of 230 miles is used to describe exterior levees. This needs to be resolved.</i>